

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2915 AND 3013 EAST CESAR CHAVEZ IN THE HOLLY NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-CO-NP) COMBINING DISTRICT FOR TRACT 1A AND 1B AND GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-CO-NP) COMBINING DISTRICT TO RURAL RESIDENCE-NEIGHBORHOOD PLAN (RR-NP) COMBINING DISTRICT FOR TRACT 2.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from family residence-neighborhood plan (SF-3-NP) combining district to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district for tract 1a and 1b and general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district to rural residence-neighborhood plan (RR-NP) combining district for tract 2 on the property (the "Property") described in Zoning Case No. C14-2013-0092, on file at the Planning and Development Review Department, as follows:

Tract 1A:

0.20 acre tract of land, more or less, out of Lot 2, Govalle Plaza Subdivision, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance;

Tract 1B:

0.58 acre tract of land, more or less, out of Lot 3, Govalle Plaza Subdivision, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance; and,

Tract 2:

1.12 acre tract of land, more or less, out of Lot 3, Govalle Plaza Subdivision the tract of land being more particularly described by metes and bounds in Exhibit "C" incorporated into this ordinance,

locally known as 2915 and 3013 East Cesar Chavez in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "D".

**PART 2.** Except as specifically provided in Part 3 and Part 4 of this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district for Tracts 1A and 1B, rural residence (RR) base district and other applicable requirements of the City Code.

**PART 3.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
- B. Drive-in service is prohibited as an accessory use to commercial uses.
- C. The following uses are prohibited uses of the Property:

Automotive repair services	Automotive rentals
Automotive sales	Automotive washing (of any type)
Adult oriented businesses	Campground
Convenience storage	Equipment repair services
Equipment sales	Laundry services
Pawnshop services	Residential treatment
Vehicle storage	Kennels
- D. The following uses are conditional uses of the Property:

Commercial off-street parking	Custom manufacturing
Service station	Limited warehousing and distribution

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district, rural residence (RR) base district, the mixed use combining district and other applicable requirements of the City Code.

**PART 4.** The Property is subject to Ordinance No. 20011213-044 that established the Holly neighborhood plan combining district.

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6 **PART 5.** This ordinance takes effect on \_\_\_\_\_, 2014.  
7

8  
9 **PASSED AND APPROVED**

10  
11 §  
12 §  
13 \_\_\_\_\_, 2014 § \_\_\_\_\_  
14  
15 Lee Leffingwell  
16 Mayor  
17

18 **APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
19 Karen M. Kennard Jannette S. Goodall  
20 City Attorney City Clerk

**CRICHTON AND ASSOCIATES  
LAND SURVEYORS**

6448 HIGHWAY 290 EAST  
SUITE B-105 AUSTIN, TEXAS 78727  
PH. (512) 244-3395

**TRACT 1A**  
**FIELD NOTES**

**FIELD NOTES FOR 0.206 ACRES OUT OF LOT 2, GOVALLE PLAZA SUBDIVISION, A SUBDIVISION OF RECORD IN DOCUMENT NO. 200700338, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, SAID 0.206 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUND DESCRIPTION AS FOLLOWS:**

**BEGINNING** at the Southeast corner of said Lot 2, same being an interior ell corner of Lot 3, Govalle Plaza Subdivision, for the Southeast corner of this tract and the **POINT OF BEGINNING**:

**THENCE** N69°29'53"W with a common line of said Lots 2 and 3 a distance of 100.00 feet to a point in said common line for the Southwest corner of this tract;

**THENCE** through the interior of said Lot 2 the following two (2) courses and distances:

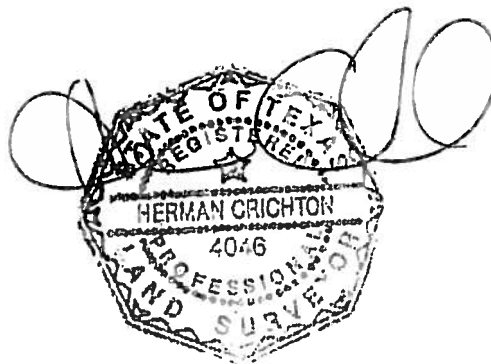
- 1) N21°16'38"E a distance of 85.02 feet to a point for the Northwest corner of this tract;
- 2) S73°16'56"E a distance of 103.61 feet to a point in a common line of said Lots 2 and 3 for the Northeast corner of this tract;

**THENCE** S23°19'53"W with said common line of Lots 2 and 3 a distance of 91.96 feet to the **POINT OF BEGINNING** and containing 0.206 acres of land, more or less.

I hereby certify that the foregoing field notes were prepared from public records, do not represent an actual survey on the ground, and are true and correct to the best of my knowledge and belief.

Witness my hand and seal April 23<sup>rd</sup>, 2013

Herman Crichton, R.P.L.S. 4046  
13\_168



**CRICHTON AND ASSOCIATES  
LAND SURVEYORS  
6448 HIGHWAY 290 EAST  
SUITE B-105 AUSTIN, TEXAS 78727  
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**TRACT 1B  
FIELD NOTES**

**FIELD NOTES FOR 0.587 ACRES OUT OF LOT 3, GOVALLE PLAZA SUBDIVISION, A SUBDIVISION OF RECORD IN DOCUMENT NO. 200700338, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, SAID 0.587 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUND DESCRIPTION AS FOLLOWS:**

**BEGINNING** at an interior ell corner of Lot 3, same being the Southeast corner of Lot 2, Govalle Plaza Subdivision, for an interior corner of this tract and the **POINT OF BEGINNING**:

**THENCE N69°29'53"W** with a common line of said Lots 2 and 3 a distance of **100.00** feet to a point in said common line for the most westerly Northwest corner of this tract;

**THENCE** through the interior of said Lot 3 the following two (2) courses and distances:

- 1) **S21°16'38"W** a distance of **165.24** feet to a point for the Southwest corner of this tract;
- 2) **S87°31'03"E** a distance of **154.04** feet to a point in the East line of said Lot 3, same being the West line of a 2.954 acre tract conveyed to Auspro Enterprises, LP in Document No. 2009049029, Official Public Records, Travis County, Texas for the Southeast corner of this tract;

**THENCE N23°19'53"E** with the common line of said Lot 3 and said 2.954 acre tract a distance of **213.00** feet to a point in said common line for the Northeast corner of this tract;

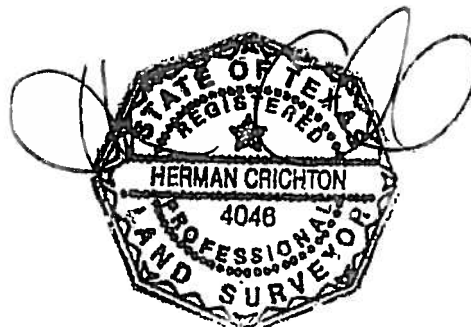
**THENCE N73°16'56"W** through the interior of said Lot 3 a distance of **50.33** feet to a point in a common line of said Lots 2 and 3 for the most northerly Northwest corner of this tract;

**THENCE S23°19'53"W** with said common line of Lots 2 and 3 a distance of **91.96** feet to the **POINT OF BEGINNING** and containing 0.587 acres of land, more or less.

I hereby certify that the foregoing field notes were prepared from public records, do not represent an actual survey on the ground, and are true and correct to the best of my knowledge and belief.

Witness my hand and seal April 23<sup>rd</sup>, 2013

Herman Crichton, R.P.L.S. 4046  
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LAND SURVEYORS**

6448 HIGHWAY 290 EAST  
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**TRACT 2**  
**FIELD NOTES**

**FIELD NOTES FOR 1.121 ACRES OUT OF LOT 3, GOVALLE PLAZA  
SUBDIVISION, A SUBDIVISION OF RECORD IN DOCUMENT NO.  
200700338, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS,  
SAID 1.121 ACRES BEING MORE PARTICULARLY DESCRIBED BY  
METES AND BOUND DESCRIPTION AS FOLLOWS:**

**BEGINNING** at a point in the West line of said Lot 3, same being the Southeast corner of Lot 1, of said Govalle Plaza Subdivision, the most easterly Northeast corner of a 1.76 acre tract conveyed to the City of Austin in Volume 2021, Page 276, Deed Records, Travis County, Texas, for the Northwest corner of this tract and the **POINT OF BEGINNING**:

**THENCE** through the interior of said Lot 3 the following two (2) courses and distances:

- 1) **S87°31'03"E** a distance of **367.11** feet to a point for the Northeast corner of this tract;
- 2) **S21°16'38"W** a distance of **132.90** feet to a point in the North bank of the Colorado River, same being the South line of said Lot 3, for the Southeast corner of this tract;

**THENCE** with the North bank of said Colorado River and the South line of said Lot 3 the following three (3) courses and distances:

- 1) **N44°23'51"W** a distance of **11.96** feet to a point for a corner of this tract;
- 2) **S82°08'09"W** a distance of **197.80** feet to a point for a corner of this tract;
- 3) **N82°15'51"W** a distance of **133.95** feet to a point, being the Southwest corner of said Lot 3 and the Southeast corner of said 1.76 acre tract, for the Southwest corner of this tract;

**THENCE N07°30'44"E** with the common line of said Lot 3 and said 1.76 acre tract a distance of **141.45** feet to the **POINT OF BEGINNING** and containing 1.121 acres of land, more or less.

I hereby certify that the foregoing field notes were prepared from public records, do not represent an actual survey on the ground, and are true and correct to the best of my knowledge and belief.

Witness my hand and seal April 23<sup>rd</sup>, 2013

Herman Crichton, R.P.L.S. 4046  
13\_168



EAST CESAR CHAVEZ STREET

LOT 2

SCALE: 1" = 100'

LOT 1

LOT 3

P.O.B.  
(TRACT 3)

1.76 AC  
CITY OF AUSTIN  
(2021/276)

N07°30'44"E  
141.45'

S87°31'03"E

367.11'

TRACT 3  
1.121 AC  
48,843 SQ. FT.

133.95'  
N82°15'51"W

197.80'  
S82°08'09"W

N44°23'51"W  
11.96'

COLORADO RIVER

N73°16'56"W  
50.33'  
S73°16'56"E  
103.61'  
N21°16'38"E  
85.02'  
S21°16'38"W  
165.24'  
N69°29'53"W  
100.00'  
P.O.B.  
(TRACTS  
1 & 2)  
TRACT 1  
0.206 AC  
8,983 SQ. FT.  
S23°19'53"W  
91.96'  
N23°19'53"E  
213.00'  
TRACT 2  
0.587 AC  
25,550 SQ. FT.  
154.04'  
S87°31'03"E

AUSPRO ENTERPRISES LP  
2.954 AC  
(2009049029)

SKETCH TO ACCOMPANY FIELD NOTES FOR 3  
TRACTS OUT OF LOTS 2 & 3, GOVALLE PLAZA  
SUBDIVISION, A SUBDIVISION OF RECORD IN  
DOCUMENT NO. 200700338, OFFICIAL PUBLIC  
RECORDS, TRAVIS COUNTY, TEXAS.

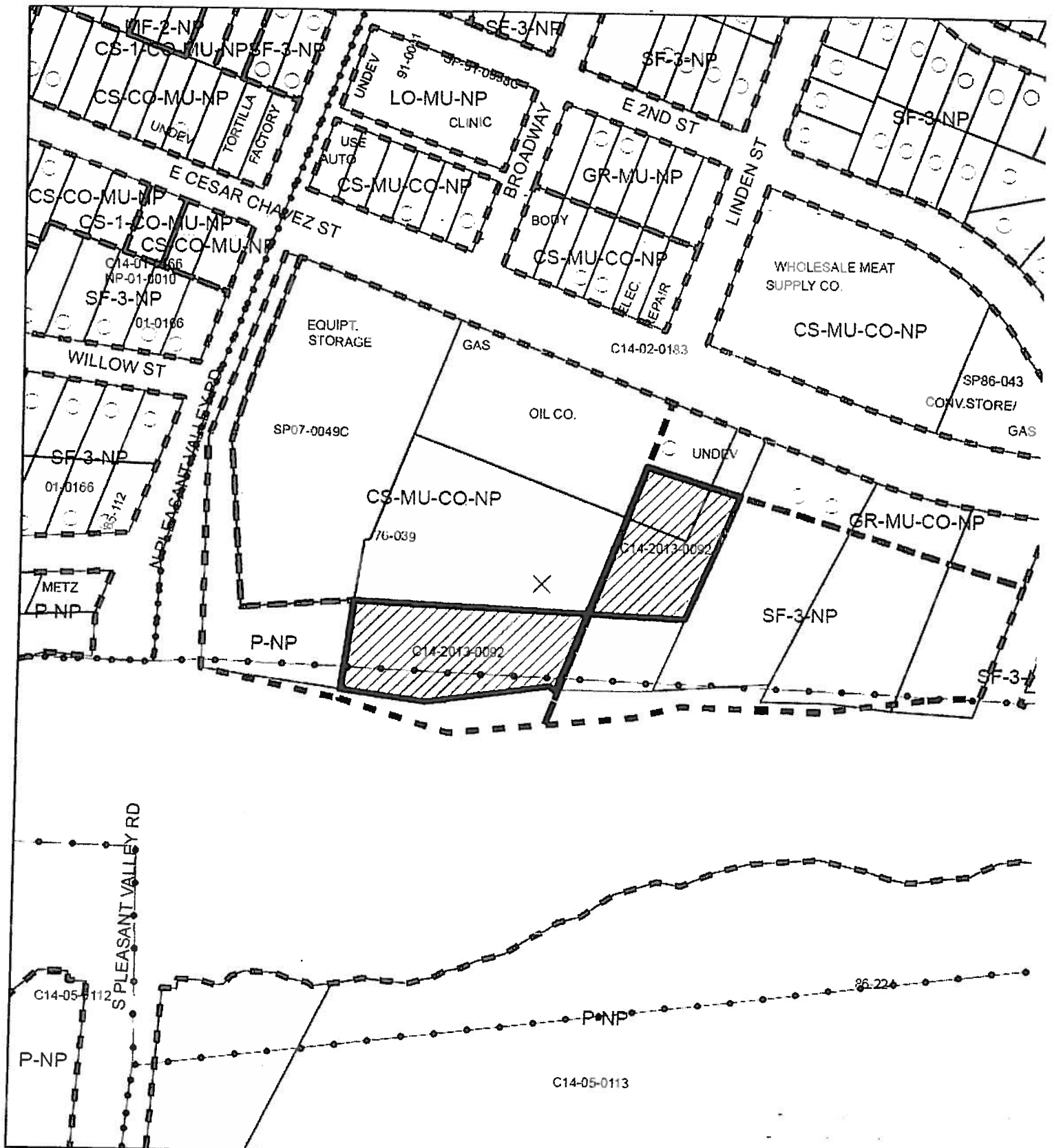
**CRICHTON**  
AND ASSOCIATES INC.  
LAND SURVEYORS

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Suite B105  
Austin, Texas 78723  
PHONE: (512) 244-3395  
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JOB NUMBER: 13\_168



DATE: April 22, 2013



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

## ZONING

ZONING CASE#: C14-2013-0092

1" = 200'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geog by the City of Austin regarding specific accuracy or completeness.

Exhibit D

